



Docket No. 02105.002050  
Date: July 16, 2002

#9  
87-24-02  
CJW

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: WILLIAM MUTILANGI ET AL.

Application No.: 09/458,677

For: USE OF METAL SALTS TO IMPROVE THE TASTE OF LOW-CALORIE BEVERAGES  
SWEETENED WITH SUCRALOSE

Filed: December 10, 1999

Group Art Unit: 1761

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
JUL 22 2002  
TC 1700

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated January 17, 2002, of the Primary Examiner finally rejecting claims 1-6.

The items checked below are appropriate.

1. ☒ A Petition for a three month extension of time to respond to the final rejection, together with the \$ 920.00 extension fee under 37 C.F.R. §1.17, was filed on herewith.
2. ☐ A Petition for an additional      month extension of time to take further action, together with the \$      extension fee under 37 C.F.R. §1.17, was filed on     .
3. ☒ Fee \$320.00  
☐ Fee \$160.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)  
☒ Enclosed  
☐ Not required (fee paid in prior appeal)  
☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

07/18/2002 CNGUYEN 00000066 09458677

02 FC:119

Page 1 of 2

320.00 OP

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants

Registration No. 42,661

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 276103 v 1